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| <b>TRANSMITTAL LETTER TO THE UNITED STATES<br/>DESIGNATED/ELECTED OFFICE (DO/EO/US)<br/>CONCERNING A SUBMISSION UNDER 35 U.S.C. 371</b>   |  | <b>ATTORNEY'S DOCKET NUMBER</b><br>2159.0340001/EKS/VSR<br>U.S. APPLICATION NO. (If known, see 37 CFR 1.5)<br>To Be Assigned <b>10/534689</b> |
| <b>INTERNATIONAL APPLICATION NO.</b><br>PCT/US2003/036522   | <b>INTERNATIONAL FILING DATE</b><br>14 November 2003 | <b>PRIORITY DATE CLAIMED</b><br>14 November 2002  |
| <b>TITLE OF INVENTION</b><br>Absolute Quantitation Of Nucleic Acids By RT-PCR   |  |   |
| <b>APPLICANT(S) FOR DO/EO/US</b><br>Norman E. ALLAIRE   |  |   |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:   |  |   |
| 1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a submission under 35 U.S.C. 371.<br>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a submission under 35 U.S.C. 371.<br>3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.<br>4. <input checked="" type="checkbox"/> The US has been elected (Article 31).<br>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371(c)(2))<br>a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau).<br>b. <input type="checkbox"/> has been communicated by the International Bureau.<br>c. <input checked="" type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).<br>6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).<br>a. <input type="checkbox"/> is attached hereto.<br>b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4).<br>7. <input checked="" type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))<br>a. <input checked="" type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau).<br>b. <input type="checkbox"/> have been communicated by the International Bureau.<br>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.<br>d. <input type="checkbox"/> have not been made and will not be made.<br>8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).<br>9. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).<br>10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).<br><br><b>Items 11 to 20 below concern document(s) or information included:</b><br>11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.<br>12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.<br>13. <input checked="" type="checkbox"/> A preliminary amendment.<br>14. <input checked="" type="checkbox"/> An Application Data Sheet under 37 CFR 1.76.<br>15. <input type="checkbox"/> A substitute specification.<br>16. <input type="checkbox"/> A power of attorney and/or change of address letter.<br>17. <input checked="" type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821- 1.825.<br>18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4).<br>19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).<br>20. <input checked="" type="checkbox"/> Other items or information: <small>Authorization to Treat a Reply as Incorporating an Extension of Time under 37 C.F.R. 1.136(a)(3); Substitute Sequence Listing and Two (2) return postcard.</small> |  |   |

This collection of information is required by 37 CFR 1.414 and 1.491-1.492. The information is required to obtain or retain a benefit by the public, which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to take 15 minutes to complete, including gathering information, preparing, and submitting the completed form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Mail Stop PCT, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

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|--|--------------|--|---------|--|--------------|
| U.S. APPLICATION NO. (if known, see 37 CFR 1.5)<br><b>10/534689</b><br>To be assigned  |              | INTERNATIONAL APPLICATION NO.<br>PCT/US2003/036522                               |         | ATTORNEY'S DOCKET NUMBER<br>2159.0340001/EKS/VSR |              |
| The following fees have been submitted   |              |  |         | CALCULATIONS                                     | PTO USE ONLY |
| 21. <input checked="" type="checkbox"/> Basic national fee..... \$300  |              |  |         | \$ 300.00  |              |
| 22. <input checked="" type="checkbox"/> Examination fee<br>If International preliminary examination report prepared by USPTO and all claims satisfy provisions of<br>PCT Article 33(1)-(4)..... \$100<br>All other situations..... \$200   |              |  |         | \$ 200.00  |              |
| 23. <input checked="" type="checkbox"/> Search fee<br>Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an<br>International Searching Authority..... \$100<br>International Search Report prepared and provided to the Office..... \$400<br>All other situations..... \$500   |              |  |         | \$ 100.00  |              |
| <b>TOTAL OF 21, 22 and 23 =</b>  |              |  |         | \$   |              |
| <input type="checkbox"/> Additional fee for specification and drawings filed in paper over 100 sheets (excluding<br>sequence listing or computer program listing filed in an electronic medium).<br>The fee is \$250 for each additional 50 sheets of paper or fraction thereof.   |              |  |         |  |              |
| Total Sheets   | Extra Sheets | Number of each additional 50 or fraction<br>thereof (round up to a whole number) | RATE    |  |              |
| - 100 =  | /50 =        |  | x \$250 | \$   |              |
| Surcharge of \$130.00 for furnishing the oath or declaration later than 30 months from the earliest<br>claimed priority date (37 CFR 1.492(h)).  |              |  |         | \$   |              |
| CLAIMS   | NUMBER FILED | NUMBER EXTRA   | RATE    | \$   |              |
| Total claims   | 22 - 20 =    | 2  | x \$ 50 | \$ 100.00  |              |
| Independent claims   | 1 - 3 =      | 0  | x \$200 | \$   |              |
| MULTIPLE DEPENDENT CLAIM(S) (if applicable)  |              |  |         | + \$360  | \$           |
| <b>TOTAL OF ABOVE CALCULATIONS =</b>   |              |  |         | \$   |              |
| <input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.   |              |  |         |  |              |
| <b>SUBTOTAL =</b>  |              |  |         | \$ 130.00  |              |
| Processing fee of \$130.00 for furnishing the English translation later than 30 months from the earliest<br>claimed priority date (37 CFR 1.492(i)).   |              |  |         | \$   |              |
| <b>TOTAL NATIONAL FEE =</b>  |              |  |         | \$   |              |
| Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied<br>by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40.00 per property  |              |  |         | \$   |              |
| <b>TOTAL FEES ENCLOSED =</b>   |              |  |         | \$ 830.00  |              |
|  |              |  |         | Amount to be<br>refunded:                        | \$           |
|  |              |  |         | Amount to be<br>charged:                         | \$           |
| a. <input type="checkbox"/> A check in the amount of \$ _____ to cover the above fees is enclosed.<br>b. <input type="checkbox"/> Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.<br>A duplicate copy of this sheet is enclosed.<br>c. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit<br>Account No. <u>19-0036</u> . A duplicate copy of this sheet is enclosed.<br>d. <input checked="" type="checkbox"/> Fees are to be charged to a credit card. <b>WARNING:</b> Information on this form may become public. Credit card information should not<br>be included on this form. Provide credit card information and authorization on PTO-2038. |              |  |         |  |              |
| <b>NOTE:</b> Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed<br>and granted to restore the International Application to pending status.   |              |  |         |  |              |
| SEND ALL CORRESPONDENCE TO:  |              |  |         |  |              |
| CUSTOMER NUMBER 26111  |              |  |         |  |              |
| Sterne, Kessler, Goldstein & Fox P.L.L.C.  |              |  |         |  |              |
|  |              |  |         | <i>Victoria S. Rutherford</i><br>SIGNATURE       |              |
|  |              |  |         | Victoria S. Rutherford                           |              |
|  |              |  |         | NAME   |              |
|  |              |  |         | 52,253   |              |
|  |              |  |         | REGISTRATION NUMBER                              |              |

10/534689

JC20 Rec'd PCT/PTO 13 MAY 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Norman E. ALLAIRE

Appl. No.: To Be Assigned

(U.S. National Phase of PCT/US2003/036522)

International Filing Date: November 14, 2003

For: **Absolute Quantitation of Nucleic  
Acids by RT-PCR**

Confirmation No.: To Be Assigned

Art Unit: To Be Assigned

Examiner: To Be Assigned

Atty. Docket: 2159.0340001/EKS/VSR

**Authorization to Treat a Reply as Incorporating an  
Extension of Time Under 37 C.F.R. § 1.136(a)(3)**

Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Sir:

The U.S. Patent and Trademark Office is hereby authorized to treat any concurrent or future reply that requires a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. The U.S. Patent and Trademark Office is hereby authorized to charge all required extension of time fees to our Deposit Account No. 19-0036, if such fees are not otherwise provided for in such reply.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

*Victoria S. Rutherford*

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Date: May 13, 2005  
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